



## Maine Forest Service Consultants Newsletter & Ice Storm Update February 9, 1999



### MAINE'S TREE GROWTH TAX LAW WILL THE DEADLINE BE EXTENDED?

Two bills have been presented to the legislature regarding extension of the April 1, 1999 plan filing deadline for the Maine Tree Growth Tax Law. Senator Mills of Somerset has filed LD 177, "An Act to Extend the Tree Growth Plan Filing Deadline" as emergency legislation. This bill, if passed, will extend the deadline for filing of the TGTL management plan until April 1, 2001. The justification for the extension is the overwhelming workload that Maine's licensed foresters now have as a result of the January 1998 ice storms.

The second bill, LD 897, filed by Representative Gooley of Farmington is titled "An Act to Extend the Management Plan requirements for Forest Owners under the Maine Tree Growth Tax Law", also an emergency bill. This bill, if passed, will extend the deadline until December 31, 1999. The justification for this bill is simply that landowners need more time.

In previous discussions with SWOAM and the Maine Municipal Association, the Maine Forest Service has agreed to support an extension of the filing deadline, but with the stipulations that in order to receive the extension, a landowner must have a written contract with a licensed forester for completion of the plan and that the plan be completed within one year of the signing of the contract. The Maine Forest Service will support an amendment to one of the above bills with the stipulations discussed earlier.

If you want to comment on this proposed legislation, you may contact your legislator at 1-800-423-2900 (Representatives) or 1-800-423-6900 (Senators). As of now, hearings have not been scheduled for either bill. If you would like a copy of either bill, contact the Maine Forest Service at (207) 287-2791.

In other proposed TGTL legislation, Senator O'Gara of Cumberland has filed LD 239, which will remove for participation in the Maine Tree Growth Tax Law any forest land that is owned by a public municipal corporation that is located outside the limits of that public municipal corporation. Another bill, LD 935, presented by Representative Stedman of Hartland, would penalize municipalities that are late filers for the tree growth

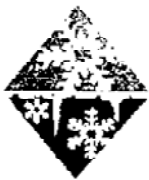
property tax reimbursement by 1% of the reimbursement for each day that the claim is overdue.

### NEW PROVISIONAL FPA RULES TO BE REVIEWED BY LEGISLATURE

The Maine Forest Service is "provisionally adopting" new rules for forest regeneration and clearcutting standards. Until the legislative review is complete, the existing rules remain in place. The Maine Forest Service will continue to enforce the existing standards.

Major changes proposed to the existing rules are:

1. No Notification of Intent to harvest is required for removal of trees from residential areas and urban or suburban settings on an area two acres in size or less for the purpose of hazard tree removal or clearance for residential dwellings and access.
2. Notifications must be posted at harvest site by landowner or agent.
3. The landowner's signature is required on the Notification.
4. Additional notification is required for any clearcut greater than 75 acres.
5. The definition of a clearcut has been changed to simplify the previous confusing two tier definition to a single definition, using trees greater than 4.5 inches dbh to determine basal area.
6. Any clearcut over 35 acres requires a forest management plan prior to harvest. The previous requirement applied to cuts over 50 acres.
7. Eliminates requirement for adjacent landowner permission to clearcut within 100 feet of the property line.
8. The size of separation zones between clearcuts is increased, but allowable harvesting in these zones changes to leaving a minimum stocking of 60 square feet of basal area (previously 50 square feet) but eliminates the 40% of volume over ten years rule.

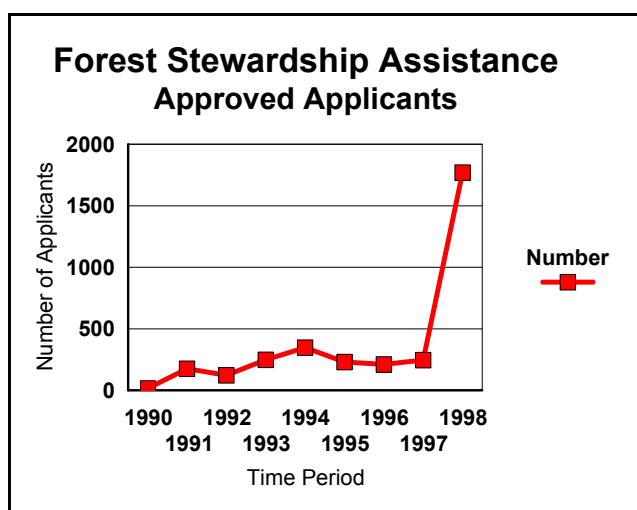


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### ICE STORM UPDATE

As of February 3, 1999, the Maine Forest Service has approved 1747 applications for forest management cost-share assistance through the Forest Stewardship Assistance Program. This encompasses more than 224,000 acres, and commits more than \$2 million to forest management planning. To date, 304 plans have been completed, with cost-share disbursements of \$208,393.75.



Applications for cost-share assistance for ice storm damage mitigation practices under the Stewardship Incentive Program (SIP) have been slower. There have been 328 applications for these practices, with the majority being for road and trail construction and remediation. Practices have been approved for more than 94 MILES of road and trail practices. More than \$860,000 has been committed for all ice storm mitigation practices so far. This leaves more than \$2,900,00 still available to landowners.

The Maine Forest Service Ice storm web site was updated on February 1, 1999. The address is:  
[www.state.me.us/doc/mfs/icefrnt.htm](http://www.state.me.us/doc/mfs/icefrnt.htm)

### CHUCK GADZIK RESIGNS AS STATE FORESTER

Department of Conservation Commissioner Ron Lovaglio announced February 4 the resignation of Maine Forest Service Director Chuck Gadzik. Gadzik will leave

the department on Friday, March 5, and take on new responsibilities at J.D. Irving where he will develop, implement, and oversee a forest management strategy for the company's Maine ownership.

### MAINE FOREST SERVICE TO HOLD LISTENING SESSIONS ON FOREST SUSTAINABILITY

The Maine Forest Service will hold three listening sessions to seek public comment on its recently released benchmarks of forest sustainability. During listening sessions, members of the public may submit either verbal or written testimony regarding the bureau's report, "The State of the Forest and Recommendations for Forest Sustainability Standards."

Dates for the listening sessions are:

Wednesday, February 17, Black Bear Inn, Orono

Thursday, February 18, Shiretown Inn, Houlton

Thursday, February 25, Oxford Hills Community  
School, South Paris

Times for each session are 2:30 to 4:30 pm and 7:00 to 9:00 pm.

The Maine Forest Service will also accept written comments on the report until February 26. Once the public comment period closes, Maine Forest Service staff will review the comments and make changes to the proposal if necessary. Then the final report will be submitted to the legislature.

The report includes recommended benchmarks for three criteria of forest sustainability: water quality, wetland and riparian zones; timber supply and quality; and public accountability. Copies of the report are available by calling the Maine Forest Service at (207) 287-2791 or by writing to the Maine Forest Service, 22 State House Station, Augusta, ME 04333. The report is also available on the Maine Forest Service web site at:

[www.state.me.us/doc/mfs/mfshome.htm](http://www.state.me.us/doc/mfs/mfshome.htm)